



Office of the

DISTRICT ATTORNEY

Michael A. Ramos, San Bernardino County District Attorney

NEWS RELEASE

For Immediate Release

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Date: September 15, 2011

DA'S OFFICE FINDS NON-FATAL OFFICER-INVOLVED SHOOTING IN VICTORVILLE LEGALLY JUSTIFIED

SAN BERNARDINO, Calif. – The San Bernardino County District Attorney's Office has completed its review of the officer-involved shooting of Frederic Miltimore, 33, of Victorville, by San Bernardino County Sheriff's Deputy Osvaldo Pelayes on May 30, 2010.

The District Attorney's Office stated that, as a person who had just committed several violent felonies, including one with the use of a weapon, Miltimore clearly posed a lethal risk to others should he not be immediately apprehended. As such, Pelayes's use of force in effecting the arrest appears appropriate given the nature of Miltimore's actions.

The shooting of Frederic Miltimore by Deputy Osvaldo Pelayes was therefore legally justified. Deputy Pelayes acted lawfully in defense of baby Bree and himself. Furthermore, based on the sum total of Frederic Miltimore's conduct, Deputy Pelayes was justified in using lethal force to effect Miltimore's arrest.

The report of the written case evaluation is attached or is available by contacting Christopher Lee at the District Attorney's Office at (909) 382-3665.

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